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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICKY ALLEN,

Plaintiff,

v.

E.K. MCDANIEL, *et al.*,

Defendants.

3:08-CV-00430-RCJ(VPC)

ORDER


Before the Court is the Report and Recommendation of U.S. Magistrate Valerie P. Cooke, (#40¹) entered on August 31, 2010, recommending granting Defendants' Motion for Summary Judgment (#31). No objections have been filed.

The Court has conducted its *de novo* review in this case, has fully considered the response of the Defendants, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#40) entered on August 31, 2010, should be adopted and accepted.

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation (#40) entered on August 31, 2010, is adopted and accepted, and Defendants' Motion for Summary Judgment (#31) is GRANTED. The Clerk of the Court shall enter Judgment accordingly.

IT IS SO ORDERED.

DATED: this 21st day of September, 2010.


ROBERT C. JONES
UNITED STATES DISTRICT JUDGE

¹Refers to court's docket number.